

SUMMARY—Proposed Amendment to AB 3030

- AB 3030 (Water Code Sections 10750 et seq.), adopted in 1992, allows local agencies to develop groundwater management plans. Statewide, about 160 agencies have adopted such plans, including most water districts in the Southern San Joaquin Valley.
- Existing law allows a local agency through its AB 3030 Plan to adopt certain powers under the Water Replenishment District Act (Division 18 of the Water Code), and to charge for groundwater pumped (Sections 10754-10754.3), but it is not clear how a district requires registration of wells, metering of wells and reporting of groundwater production in order to implement groundwater charges.
- Many believe that if groundwater producers were required to pay for the quantity of water they pump (in addition to their pumping costs), that local agencies could further encourage conservation of limited groundwater resources and more equitably allocate the cost of importing water to sustainably manage groundwater basins.
- The purpose of this proposed bill is to further the original intent of AB 3030 to provide through an AB 3030 Plan that a local agency may charge for the use of groundwater and clearly specify the procedures so that local agencies have confidence such charges are properly imposed and will be defensible.
- Under the Water Replenishment District Act provisions incorporated in AB 3030, groundwater charges (called replenishment assessments) are required to be equal per acre foot pumped. One substantive change under this proposal would permit an AB 3030 Plan to incorporate a tiered pricing strategy where users of larger amounts of groundwater (who put a greater strain on the basin) or those putting the groundwater to new uses (which puts an additional strain on the basin not previously experienced) can be charged higher rates to reflect the higher cost to the local agency to obtain additional imported water or develop local supplies.
- Such groundwater charges could only be imposed after a local agency complies with the process to adopt or amend an AB 3030 Plan, which includes transparency and due process by providing for various hearings and the opportunity for landowners to reject the plan through a majority protest process, in addition to the majority protest process otherwise provided under Proposition 218 for any new or increased charge.